

American Electric Power
400 West 15th Street, Suite 1520
Austin, TX 78701
aep.com

September 12, 2017

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Via Overnight Mail

Fouad Dababneh, Enforcement Specialist
U.S. Environmental Protection Agency, Region 5
Superfund Division –Emergency Response Branch #2
Enforcement Services Section, SE-5J
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

RE: AA Oil Site
Response of Indiana Michigan Power Company
Request for Information Pursuant to Section 104(e) of CERCLA
2340 South Tibbs Avenue, Indianapolis, Indiana
Site Spill Identification Number: C54L

On behalf of Indiana Michigan Power Company (I&M), a wholly owned subsidiary of American Electric Power Company, Inc.¹ I am responding to the Request for Information (RFI) from U.S. Environmental Protection Agency (EPA) Region 6 dated August 23, 2017 and received by overnight mail on August 24, 2017.

I&M is headquartered in Fort Wayne, Indiana and provides integrated electric generation, transmission and distribution services to 589,000 customers in Indiana and Michigan.

Objections to Instructions and Definition

1. I&M objects to the requests to the extent they seek information or documents that I&M has no obligation to develop or are beyond the scope of CERCLA. Such requests are overly broad, unduly burdensome, arbitrary and capricious.
2. I&M objects to the term “Site” or “AA Oil Site” The RFI uses two definitions to define the Site: 1) by the location or address as 2340 South Tibbs Avenue Street, and 2) as the property or area used for disposal or drummed wastes and liquid wastes.

¹ I&M is a unit of American Electric Power, one of the largest electric utilities in the United States, delivering electricity to nearly 5.4 million customers in 11 states

With respect to matters addressed in the Instructions and Definitions, I&M will comply with applicable rules and law. Responses and Objections to the individual requests are set out below. The request is set forth first in bold and is followed by I&M's response.

Responses to Requests for Information (Questions are set forth in bold font followed by I&M's response)

- 1. State the full legal name, address, telephone number, position(s) held by, and tenure of the individual(s) answering any of the questions below on behalf of Indiana Michigan Power Company (the Company).**

Thomas Berkemeyer
Associate General Counsel and Assistant Secretary, I&M
AEP Legal
One Riverside Plaza
Columbus, Ohio 43215
(614) 716-1648
27 years

Patrick Ott
Environmental Training and T&D Compliance Manager
AEP
One Riverside Plaza
Columbus, Ohio 43215
(614) 716-2997
43 years

L. Elizabeth Gunter
AEP
400 West 15th Street, Suite 1500
Austin, TX 78701
(512) 481-3328
16 years

Mike Johnson
ECM Document Management Analyst Sr.
AEP Ethics and Compliance
One Riverside Plaza
Columbus, Ohio 43215
(614) 716-1767
40 years

- 2. Identify all documents consulted, examined or referred to in the preparation of the answers to the questions of this Information Request and provide copies of all such documents.**

I&M objects to this request as being vague, arbitrary and capricious, overly broad and unduly burdensome. I&M also objects to this request to the extent the request seeks information that is irrelevant and outside the scope of CERCLA. I&M is unaware of any activities or information

that associate I&M with this Site and EPA has not provided such information. I&M attempted to contact EPA representatives listed in the RFI to learn whether EPA possessed any documents that might assist I&M in its search for relevant documents. I&M emailed Jason Sewell at sewell.jason@epa.gov and Matthew Moore at moore.johnm@epa.gov and only received an “out of office” response from Mr. Moore. Not hearing back from EPA, I&M submitted a FOIA request to EPA on September 12, 2017 seeking any information about the Site. In any event, I&M representatives conducted searches of archived records for “AA Oil,” “Cam-Or Inc.” and “2340 South Tibbs Avenue, Indianapolis, Indiana” and did not locate any responsive records.

3. Identify the Company’s policy with respect to document retention.

AEP (I&M’s parent) implemented a System-wide records retention program in 1996. Prior to that time, each operating company, including I&M, managed documents under that operating company’s guidelines. For I&M most company records were maintained in Fort Wayne, Indiana. In 2000, I&M’s records were sent from Fort Wayne and other locations to a central document management location in Canton, Ohio. Pursuant to AEP’s record retention policy, many records have been destroyed.

4. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question of this Information Request or who may be able to provide additional responsive documents, identify such persons.

I&M is unaware of any persons able to provide a more detailed response or additional responsive documents.

5. Explain the Company’s present operational status. For example, an operations status may be active, suspended, defunct, merged, or dissolved.

I&M is an “active” company.

6. Provide the date the Company was incorporated, formed, or organized. Identify the state in which the Company was incorporated, formed, or dissolved.

Indiana & Michigan Electric Company (I&M) was incorporated on February 21, 1925 in Indiana. Indiana & Michigan Electric Company amended its Articles of Incorporation on September 1, 1987 to change its name to Indiana Michigan Power Company from Indiana & Michigan Electric Company.

7. Identify the business structure, for example, sole proprietorship, general partnership, limited partnership, joint venture, or corporation, under which the Company currently exists or operates and identify all former business structures under which it existed or operated since its inception.

I&M operates as a corporation.

8. Describe the nature of your business. In addition:

- a. Describe the raw materials and the manufacturing processes utilized by your company and the products of your manufacturing process.**
- b. If the nature of your business has changed significantly since 1980, please describe the nature of your business presently and prior to 1980.**

I&M objects to this request as being vague, arbitrary and capricious. As mentioned above, I&M is an integrated electric company, producing and delivering electricity to its customers in Indiana and Michigan. I&M uses different fuels, including nuclear, wind, hydro, and coal in the generation and production of electricity. Other chemicals may be used to support I&M's operations such as oil, fuel, lubricants, insulating fluids and materials, water purification chemicals, and various types of non-hazardous cleaners. The nature of this business has not changed significantly since 1980 other than the addition of electricity produced by solar and wind.

9. Provide the dates that the Company, under any of its current or former business structures, generated or arranged for the transportation of waste to the Site.

I&M objects to this request as it is arbitrary and capricious. Furthermore it is unclear what the phrase "generated or arranged for the transportation of waste to the Site" means. EPA has provided no information that connects I&M to the Site and EPA appears to be on a fishing expedition. Notwithstanding this objection, there is no information of which I&M is aware indicating that it arranged for the disposal of waste to the Site.

10. Provide a complete list of employees who had knowledge of the generation, transport and disposal of wastes at the Site during any or all of the period of time that the Company generated or arranged for the transportation of waste to the Site. For each employee listed, provide the following information:

- a. The employee's full name;**
- b. The employee's current, or last known address and telephone number, including the last known date on which you believe each address, and telephone number was current;**
- c. The dates that the employee worked with the Site**
- d. The position(s) the employee held under any of the Company's business structures; and**
- e. The employee's job titles(s) and the corresponding dates during which the Company believes that the employee would have had knowledge of the use and disposal of wastes.**

I&M objects to this request as it is arbitrary and capricious. EPA has provided no information that connects I&M to the Site and EPA appears to be on a fishing expedition. Notwithstanding this objection, there is no information of which I&M is aware indicating that any of I&M's businesses or employees either generated waste that was disposed at the Site or transported waste to the Site or arranged for the disposal of waste to the Site.

11. Provide a list of all materials transported or disposed of at the Site, identifying the chemical composition, quantities, and a description of the process by which the material was generated.

I&M objects to this request as it is arbitrary and capricious. EPA has provided no information that connects I&M to the Site and EPA appears to be on a fishing expedition. Notwithstanding this objection, there is no information of which I&M is aware indicating that any of its waste was transported to or disposed of at the Site.

12. If the Company transported oil to the Site, respond to the following requests:

- a. Identify the type(s) of oil(s) transported to the Site.**
- b. Identify any additives used in the oil(s) transported to the Site.**
- c. Describe the process by which used or waste oil was generated by Respondent and describe the constituents of such used or waste oil. Provide all documents evidencing the constituents of such used or waste oil.**

I&M objects to this request as it is arbitrary and capricious. Furthermore, the phrase "transported oil to the Site" is unclear. EPA has provided no information that connects I&M to the Site and EPA appears to be on a fishing expedition. Notwithstanding this objection, there is no information of which I&M is aware indicating that the Company either generated waste oil that was disposed at the Site or transported waste oil to the Site or arranged for the disposal of waste oil to the Site.

13. Identify and provide the information below for all hazardous wastes that were transported to the Site since the beginning of the Company's involvement at the Site:

- a. The trade or brand name, chemical composition, and quantity used for each substance and the Material Safety Data Sheet or Safety Data Sheets for each product;**
- b. Describe the waste streams generated by operations and equipment with respect to the substances;**
- c. State the volume and frequency of the transport and disposal of the waste materials to the Site; and**
- d. Provide copies of all analyses for substances containing hazardous materials performed on the materials prior to disposal at the Site.**

I&M objects to this request as it is arbitrary and capricious. EPA has provided no information that connects I&M to the Site and EPA appears to be on a fishing expedition. Notwithstanding this objection, there is no information of which I&M is aware indicating that any of its businesses or employees of I&M transported hazardous waste to the Site or was otherwise “involved” at the Site.

- 14. List and provide copies of all federal, state, county, city, and all other local permits, licenses, and/or registrations and their respective permit numbers issued concerning your operations and the storage, use, and discharge of substances, including but not limited to permits, and correspondence related to Publicly Owned Treatment Works (POTW), Marion County permits and licenses, and IDEM permits and licenses. Your response must include all compliance testing results for all waste streams generated in your operations.**

I&M objects to this request for being overly broad and unduly burdensome. I&M also objects to this request as being outside the scope of CERCLA. This request has no temporal or location limits. EPA has provided no information concerning I&M’s past disposal practices or any information that connects I&M to the Site. I&M’s current permits, licenses, and/or registrations and their respective permit numbers are irrelevant to matters occurring between 1950-1990. EPA is merely on a fishing expedition. Furthermore, this information is publicly available and accessible to EPA. I&M has already responded that it is unaware of any documents that link I&M to the Site.

- 15. State whether the Company has or had a permit or permits issued under the Resource Conservation and Recovery Act (RCRA). If the answer is “yes,” identify all such permits, including but not limited to the dates of issuance and a general description of the process permitted. Provide copies of all such permits.**

I&M objects to this request as it is arbitrary and capricious and unrelated to the current RFI. EPA has provided no information that connects I&M to the Site and EPA appears to be on a fishing expedition. I&M also objects because the request has no temporal limits. Notwithstanding this objection, there is no information of which I&M is aware indicating that any of its businesses or employees of I&M either generated waste that was disposed at the Site or transported waste to the Site or arranged for the disposal of waste to the Site. I&M has not had and does not have a RCRA TSD permit.

- 16. Provide copies of all correspondence between Indiana Michigan Power Company and the Site owners and operators, regarding materials that came to be located at the Site. Include copies of all contracts, agreements, receipts, invoices or other correspondence related to the transfer of materials to the Site.**

I&M objects to the request as being vague, overly broad, unduly burdensome and arbitrary and capricious. EPA has provided no information to I&M that connects I&M to the Site and is merely on a fishing expedition. I&M conducted a review of its records and is unaware of any such correspondence related to the Site or concerning AA Oil.

FOIA Request and I&M Right to Supplement Its Response

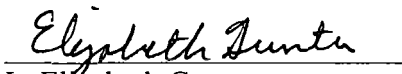
As noted above, I&M submitted a FOIA request to EPA (attached) seeking information about the AA Oil Site. I&M did not locate any records or other information that indicated that I&M had any connection with this Site or AA Oil or Cam-Or Inc. No employee contacted had ever heard of these companies. In the event I&M does receive information from EPA in response to its FOIA request or otherwise that necessitates a modification of any of these answers, I&M will supplement this response.

Enclosure F

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of the Respondent and that the foregoing is complete, true, and correct.

Executed on September 9th 2017

A handwritten signature in cursive script, reading "Elizabeth Gunter", is written over a horizontal line.

L. Elizabeth Gunter
Counsel for I&M

ORIGIN ID ALISA (312) 461-3328 ENFORCEMENT CENTER 400 W 15TH ST - ST 1620 AUSTIN, TX 78701 UNITED STATES US		SHIP DATE: 12SEP17 TIME: 14:18 CND: 1808807100MET13920 BILL SENDER
TO: FOUAD DABABNEH, ENF. SPECIALIST U.S. EPA. REGION 5 ENFORCEMENT SERV. SEC., SE-5J 77 WEST JACKSON BOULEVARD CHICAGO IL 60604 (312) 353-3944 REF: REF: FREEDOM OF INFO ACT / AAOL DEPT:		
 		
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